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June 16, 2020

Via e-mail claims3@gmail.com & Facsimile 570-825-0611

Stacey Lindley
Personal Line Property Claims Representative
Berkshire Hathaway GUARD Insurance companies
P.O.Box 1368
Wilkes-Barre, PA 18703

RE: Our Client: Iva Joy and William Joy
Claim No: IVHO038445-001-001

**RE: DEMAND FOR PAYMENT OF INSURANCE BENEFITS FOR STRUCTURE
CONTENTS AND LIVING EXPENSES**

Dear Mr. Lindley:

The correspondence is a demand for payment of the structure, contents and living expense proceeds of and from the relevant Amguard insurance policy. As you know, the home and all the contents belonging to Iva Joy and William Joy were totally destroyed in the fire of May 5, 2020.

We have reviewed the operative insurance policy and your letter denying the claim dated May 13, 2020. Please be advised that your rationale for denying this claim directly conflicts with the public policy of Tennessee as embodied in statutory law and decisional caselaw. Thus, your denial letter is unenforceable and insurance benefits are due and payable as of May 5, 2020.

We have prepared and filed a judicial complaint against Berkshire Hathaway, Inc, National Indemnity Company, and Amguard for breach of contract, bad faith refusal to pay, **and** Tenn. Code Ann. §56-8-113 and we expect the defendants will receive the process very shortly.

We demand the policy limits of \$228,148 for the total loss of the dwelling, \$114,074 for the total loss of personal property or contents, and \$68,444 for loss of use or living expenses. If we do not receive payment within 60 days of this letter or an earlier response in the context of the litigation, then we will amend the pleadings to add the statutory bad faith claim pursuant to §56-7-105.

Sincerely,

Berkley Law Firm, PLLC

Drayton Berkley
Drayton Berkley